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CANADA'S NEW GOVERNMENT AND THE GRAND COUNCIL OF THE CREES REACH AGREEMENT ON RENEWED RELATIONSHIP

2-2909

MONTREAL, QUEBEC (July 16, 2007) - Canada's New Government and the Grand Council of the Crees today announced that they have reached an agreement which aims to put an end to years of controversy over Canada's obligations under the *James Bay and Northern Quebec Agreement (JBNQA).*

Originally signed in 1975, the *JBNQA* was Canada's first modern treaty. It dealt with land and other issues dating back to the late 1800s. However, Canada and the Crees of Eeyou Istchee held different views on how to best implement the JBNQA. After years of litigation, the negotiators for the Government of Canada and the Grand Council of the Crees signed a Statement of Intention in August 2004 to begin an out-of-court process demonstrating a mutual commitment to settling issues through meaningful discussion rather than through the courts.

Today's agreement, entitled an *Agreement Concerning a New Relationship between the Government of Canada and the Cree of Eeyou Istchee,* includes a proposed financial package of $1.4 billion over a number of years and would clarify andfacilitate the implementation of Canada's obligations under the JBNQA going forward. The agreement seeks to resolve disputes related to the implementation of the JBNQA outstanding over the last 30 years, and secures mutual agreement between Canada and the Crees on obligations for the next 20 years (beginning when the new agreement comes into force) with a process to extend that initial timeframe.

"This agreement between Canada and the Grand Council of the Crees closes a chapter on the disputes of the past and turns the page to a new, mutually respectful future," stated the Honourable Lawrence Cannon, Minister of Transport, Infrastructure and Communities, on behalf of the Honourable Jim Prentice, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians. "By working in partnership, through meaningful discussions, we have found solutions which can provide clarity and economic opportunity for the Crees of Eeyou Istchee and certainty for all Canadians."

"This Agreement allows us to work with Canada and Quebec to develop a new form of regional government unique in Canada. I acknowledge the present and former leadership of the Cree Nation, whose wisdom has allowed us to come to this Agreement and to move forward in developing our communities and in protecting our interests as an Indigenous Nation on our lands, Eeyou Istchee," stated Grand Chief Matthew Mukash.

If ratified, the Agreement would put an end to litigation regarding the implementation of federal obligations of the JBNQA. Both parties are required to ratify the Agreement before it can be implemented. The Grand Council of the Crees will submit the Agreement to a referendum in all Cree communities during the next few months. The Government of Canada also has to proceed

through its ratification process before the Agreement comes into force.

Following ratification, the Crees of Quebec would assume federal responsibilities primarily in the areas of administration of justice and economic and social development.

The ratification of the agreement would also allow the Grand Council of the Crees and the Government of Canada to enter into a second phase of negotiations to address the modernization of the Crees' governance regime.

This new relationship will provide a context of mutual rights and responsibilities that will ensure benefits for Aboriginal and non-Aboriginal people.

Backgrounder - Agreement Concerning a New Relationship Between the Government of Canada and the Cree of Eeyou Istchee

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Date Modified:2007-07-26

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Backgrounder - AGREEMENT CONCERNING A NEW RELATIONSHIP BETWEEN THE GOVERNMENT OF CANADA AND THE CREE OF EEYOU ISTCHEE

Historical Context: Implementation of the JBNQA

The 1975 *James Bay and Northern Quebec Agreement* (*JBNQA*) was the first modern treaty reached in Canada. Dealing with land issues dating back to the late 1800s, it accommodated the interests of signatories of the JBNQA in land and related resource development in northern Quebec. In addition to dealing with land claims and resources issues, the JBNQA also established regimes for future relationships between Aboriginal and non-Aboriginal people in the region and among local, regional, provincial and federal governments. Under separate Quebec legislation, the province established the Cree Regional Authority to assist in the development of common services for Cree communities.

After it was brought into force, the parties had difficulties in interpreting, sharing, and acting on JBNQA obligations, leading to litigation beginning in the early 1980s.

Historical Context: The Cree-Naskapi of Quebec Act

In 1984, pursuant to the JBNQA, the Government of Canada proclaimed the *Cree-Naskapi (of Quebec) Act,* which recognizes local governance powers and set up a system of land management for the Crees of Eeyou Istchee. The Act recognized a form of Aboriginal self-government for the first time in Canada.

A New Relationship

The *Agreement Concerning a New Relationship between the Government of Canada and the Crees of Eeyou Istchee* will establish the basis for a new relationship between the Government of Canada and the Crees of Quebec. It will resolve disputes between the Crees of Quebec and Canada concerning Canada's responsibilities under the JBNQA. It will also improve the implementation of the JBNQA, and will resolve the claims, grievances and other matters between the Government of Canada and the Crees.

The Crees of Quebec will assume federal responsibilities for the administration of justice and economic and social development dealing with community centres, essential sanitation and fire protection, training facilities and courses, job recruitment and placement, Cree associations and economic development agents.

Cree Governance Modernization

If the Agreement is ratified, the Government of Canada will amend the *Cree-Naskapi of Quebec Act* (CNQA) to empower the Cree Regional Authority (CRA) with by-law making powers similar to those of the local Cree governments for the purpose of setting regional standards. The amendment of the CNQA will allow the CRA to deliver on assumed responsibilities for the administration of justice and economic and social development.

In a second phase, the Government of Canada and the Government of Quebec are going to

negotiate a Self-Government Agreement with the Cree to modernize their current governance regime, which will include the development of a Cree constitution and the establishment of a Cree Nation Government. The subject areas to be negotiated in relation to jurisdiction and authority of the Cree Nation Government will be determined by the parties as the first item in the negotiations process.

Ratification

Both parties are required to ratify the Agreement before it can be implemented. The Grand Council of the Crees will submit the Agreement to a referendum in all Cree communities during the next few months. The referendum will be approved if more than half of those who vote, vote in favour and those who vote in favour account for a quarter of the overall voting population. The Government of Canada also has to proceed through its ratification process before the Agreement comes into force.

Financial Package

The proposed agreement includes a financial package which is subject to the following conditions:

- $1.1 billion to be paid once the Agreement comes into force upon signature
- $100 million to be paid within 30 days of receiving Royal Assent of amendments to the *Cree-Naskapi of Quebec Act*
- $200 million to be paid within 30 days of receiving Royal Assent of potential governance legislation, which will, in turn, conclude the second phase of negotiations.

Litigation Discontinuances

If the Agreement is ratified, it will bring a resolution to significant Cree litigation related to alleged deficiencies in past federal JBNQA implementation efforts. The Government of Canada will receive a formal acknowledgment that JBNQA obligations assumed by the Crees of Quebec have been implemented, or are deemed to have been implemented.

Dispute Resolution

The Agreement would also establish dispute resolution mechanisms to address disputes before any future litigation is pursued. A new Canada-Cree Standing Liaison Committee will channel future exchanges related to the implementation of this agreement and the JBNQA.

Date Modified:2007-07-26